

Remarks

Statement Under 37 C.F.R. § 1.821(f)

The sequence listing information recorded in the computer readable form filed February 9, 2004, as subsequently corrected by the STIC Systems Branch of the U.S. Patent and Trademark Office is identical to the paper copy of the sequence listing as filed on February 9, 2004.

The Rejection of Claim 1 Based on a Defective Reissue Declaration

Claim 1 stands rejected based on a defective reissue declaration. A supplemental reissue declaration signed by each of the inventors accompanies this paper. Please note that inventor Raymond White signed two copies of the declaration. One copy, which also contains inventor Geoff Joslyn's signature, contains changes to Dr. White's address which he did not initial or date. However, Dr. White signed a second copy of the declaration in which he initialed and dated the changes he made to his address.

Applicants respectfully request withdrawal of the rejection.

The Obviousness-Type Double Patenting Rejection of Claim 1

Claim 1 stands rejected under the judicially created doctrine of obviousness-type double patenting over claims 2-8 of copending reissue application Serial No. 09/983,543. To expedite prosecution, a Terminal Disclaimer under 37 C.F.R. § 1.321 accompanies this response. Please charge the fee under 37 C.F.R. § 1.20(d) to our Deposit Account No. 19-0733.

Applicants respectfully request withdrawal of the rejection.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Date: August 10, 2004

Customer No. 22907

By: Lisa M. Hemmendinger
Lisa M. Hemmendinger
Registration No. 42,653